



# forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
REPUBLIC OF SOUTH AFRICA

Private Bag X447, Pretoria, 0001, Environment House, 473 Steve Biko Road, Pretoria, 0002 Tel: +27 12 399 9000, Fax: + 27 86 625 1042

**Reference:** Eskom/postponements

**Enquiries:** Derrick Makhubele

**Tel:** 012 399 9800 **Email:** [dmakhubele@environment.gov.za](mailto:dmakhubele@environment.gov.za)

**Ms. Deidre Herbst**

Eskom Holdings SOC Ltd  
Megawatt Park  
Maxwell Drive, Sunninghill  
Sandton

**Email:** [HerbstDL@eskom.co.za](mailto:HerbstDL@eskom.co.za)

Dear Ms. Herbst,

**RE: APPLICATION FOR POSTPONEMENT/SUSPENSION OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004 MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD**

The above-mentioned applications have reference.

The decisions on Eskom applications for postponement, alternative limits and suspension of compliance timeframes with the Minimum Emission Standards (MES) in terms of Section 21 of the Air Quality Act are based on the requirements of the current legal framework (GNR 1207 of 31 October 2018) which provide for applications for postponement, suspension and alternative limits.

Existing facilities may apply for a once-off postponement of compliance timeframes for new plant standards. A postponement if granted will be for a period not exceeding 5 years and no postponement would be valid beyond 31 March 2025. It is thus not possible in the current legal framework to issue postponement decisions beyond 31 March 2025. Thus positive postponement decisions were only issued for applications where there are plans in place to comply with the Minimum Emission Standards (MES) and the decisions are valid until 31 March 2025.

Existing facilities that will be decommissioned by 2030 may apply for a once-off suspension of compliance timeframes with new plant standards for a period not beyond 2030. An application must be accompanied by a clear decommissioning schedule. Existing facilities that will be granted a suspension of compliance timeframes shall comply with existing plant standards during the suspension period until they are decommissioned. Eskom applied for suspension of compliance with Minimum Emission Standards (MES) for plants scheduled for decommissioning by 2030. Positive decisions were granted for these applications with the condition that Eskom submits the detailed decommissioning plans within a year of issuance of the suspension decisions.

Also, according to the legislation, an existing facility may also submit an application regarding a new plant standard to the National Air Quality Officer (NAQO) for consideration, if the facility is in compliance with other emission limits but cannot comply with a particular pollutant or pollutants. The said application must demonstrate previous reductions in emissions of the pollutant or pollutants being applied for, measures and direct investments



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**APPLICATION FOR POSTPONEMENT/SUSPENSION OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004 MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD**

implemented towards compliance with the relevant new plant standards. Further, the National Air Quality Officer (NAQO), after consultation with the licensing authority may grant alternative limit or emission load if there is material compliance with the national ambient air quality standard for pollutant or pollutants applied for or the atmospheric Impact report does not show a material increase in health risk where there is no ambient air quality standard.

Eskom applied for alternative limits for Particulate Matter (PM) for the stations that are located within the national priority areas where PM concentration levels are in non-compliance with the national standards. Therefore, it would be illegal to issue alternative limits for PM for power stations located in priority areas where there is non-compliance with PM standards. Further, Eskom failed to demonstrate previous investments for the reduction of NO<sub>x</sub> and SO<sub>2</sub> emissions in the same power stations thus making this provision inapplicable for the facilities.

The Minimum Emission Standards (MES) were first published in 2010 and Eskom has made minimal effort to fully comply with the standards. The NAQO does not have the prerogative to issue decisions that are outside the current legal provisions or are in non-compliance with the law. In this regard, Eskom is advised to make a request to the Ministers of the Departments they listed in a letter to the NAQO dated 30 March 2021, for consideration of all the other factors that are outside the Department of Forestry, Fisheries and the Environment (DFFE) mandate, such as insufficient water, gypsum and financial costs of implementing the decisions; closure of seven (7) stations; and associated 19 000MW of supply to the national grid. The NAQO and Atmospheric Emission Licensing Authorities can only to issue decisions that are legally defensible within the applicable legal framework and conditions given therein.

Thank you for understanding and for co-operation in matters regarding your applications.

Yours sincerely,



**Dr Thull N. Khumalo**  
**Department of Forestry, Fisheries and the Environment**  
**Designation: National Air Quality Officer**  
**Date: 30 October 2021**

**CC – Atmospheric Emission Licensing Authorities**







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Ms Deidre Herbst  
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Dear Ms Herbst

## **APPLICATION FOR ALTERNATIVE LIMITS AND POSTPONEMENT OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT, 2004 (ACT NO. 39 OF 2004) MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (MATLA POWER STATION)**

The above-mentioned application dated March 2019 under reference No. ENV18-R242 rev 2, for alternative limits and postponement of compliance timeframes relating to the minimum emission standards for Eskom Holdings SOC LTD (Eskom) (Matla Power Station), has reference.

In terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) (NEM: AQA), all of Eskom's coal and liquid fuel-fired power stations are required to meet the Minimum Emission Standards (MES) published under Government Notice No. 893, in Gazette No. 37054 on 22 November 2013 (the 2013 Notice) which was promulgated in terms of section 21 of the NEM: AQA.

The 2013 Notice was amended, amongst others, under Government Notice (GN) No. 1207, Government Gazette (GG) No. 42013 on 31 October 2018 (the 2018 Notice) to make provision for suspension applications and once off postponement applications for existing plants.

In terms of paragraph (11A) of the 2018 Notice, an existing plant may apply to the National Air Quality Officer (NAQO) for a once-off postponement with the compliance timeframes for minimum emission standards for new plant as contemplated in paragraph (10). A once-off postponement with the compliance timeframes for minimum emission standards for new plant may not exceed a period of 5 years from the date of issue. No once-off postponement with the compliance timeframes with minimum emission standards for new plant will be valid beyond 31 March 2025.



The processing of personal information by the Department of Forestry, Fisheries and the Environment is done lawfully and not excessive to the purpose of processing in compliance with the POPI Act, any codes of conduct issued by the Information Regulator in terms of the POPI Act and / or relevant legislation providing appropriate security safeguards for the processing of personal information of others.

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**APPLICATION FOR ALTERNATIVE LIMITS AND POSTPONEMENT OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT, 2004 (ACT NO. 39 OF 2004) MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (MATLA POWER STATION)**

Paragraph (12A) of the 2018 Notice provides that:

- (a) An existing plant may submit an application regarding a new plant standard to the NAQO for consideration if the plant is in compliance with other emission standards but cannot comply with a particular pollutant or pollutants;
- (b) An application must demonstrate a previous reduction in emissions of the said pollutant or pollutants, measures and direct investments implemented towards compliance with the relevant new plant standards;
- (c) The NAQO, after consultation with the Atmospheric Emissions Licensing Authority (AELA), may grant an alternative emission limit or emission load if:
  - (i) There is material compliance with the national ambient air quality standards in the areas for pollutant or pollutants applied for; or
  - (ii) The Atmospheric Impact Report does not show a material increased health risk where there is no ambient air quality standard.

I have noted reasons that informed your application as stated in paragraph 5 of your application which include, amongst others:

- (i) The coal quality;
- (ii) The plant performance;
- (iii) The remaining power station life;
- (iv) The water availability
- (v) The environmental implications of Flue Gas desulphurization ;
- (vi) Matla's impact on ambient air quality;
- (vii) The cost implications of compliance with the MES; and
- (viii) Project delays.

Paragraph 13 of the 2018 Notice, empowers the NAQO with the concurrence from the Atmospheric Emissions Licensing Authority (AELA) to grant the application contemplated in paragraph (11A), with or without conditions, or to refuse the application with written reasons.

Under paragraph 13 of the 2018 Notice, with concurrence of the Nkangala District Municipality, as the AELA, and taking into account the provisions of paragraphs (11A) and (12A), I have considered your application and came to the decision as captured in Table A. The reasons for my decision are also captured in the last column of Table A.

**Table A Decisions**

S21 Category	Appliance	Postponement Sought	Emission Standards			
			Minimum Emission Standards (mg/Nm <sup>3</sup> )			Decision
			Pollutant	2015	2020	
<b>Subcategory 1.1:</b> Solid Fuel Combustion Installation	Units 1-4	200mg/Nm <sup>3</sup> from 1 April 2020  100mg/Nm <sup>3</sup> from 1 April 2021  80mg/Nm <sup>3</sup> from 1	PM	100	50	Alternative limit request until decommissioning is declined as the facility does not comply or meet the requirement of GN 1207 of 2018, (12A)(a) and (12A)(c)(i).

**APPLICATION FOR ALTERNATIVE LIMITS AND POSTPONEMENT OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT, 2004 (ACT NO. 39 OF 2004) MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (MATLA POWER STATION)**

ns	Units 5-6	April 2025 until decommissioning  100mg/Nm <sup>3</sup> from 1 April 2020  80mg/Nm <sup>3</sup> from 1 April 2025				Postponement from 1 April 2020 to 31 March 2025 is declined because the facility did not demonstrate the intention to comply with the new plant standard of 50mg/Nm <sup>3</sup> .
	6 Units	3500mg/Nm <sup>3</sup> from 1 April 2020  2600mg/Nm <sup>3</sup> from 1 April 2025 until decommissioning by 2034	SO <sub>2</sub>	3500	1000	Postponement /alternative limit request until decommissioning declined because the facility do not comply or meet the requirement of GN 1207 of 2018 (11A), (12A)(a) and (12A)(b). The requirement to comply with the minimum emission standards for new plant as stated in the 2015 postponement decision with a limit of <b>2600mg/Nm<sup>3</sup></b> from 1 April 2020 to 31 March 2025 thus remains in place.
	6 Units	1200mg/Nm <sup>3</sup> from 1 April 2020  750mg/Nm <sup>3</sup> from 1 April 2027	NO <sub>x</sub>	1100	750	Alternative limit request declined because the facility do not comply or meet the requirement of GN 1207 of 2018 (12A)(a) and (12A)(b).  Postponement request until 31 March 2025 declined because the facility does not show the intention to comply with the new plant standard of 750mg/Nm <sup>3</sup> .

\* All minimum emission standards are expressed on a daily average basis, under normal conditions of 273 Kelvin, 10% oxygen and 101.3 kPa.

The decision is further subject to the following conditions:

- This decision will have to be reflected in your Atmospheric Emission Licence (AEL) to be of force and effect. Therefore, you must liaise with the relevant AELA in this regard as soon as possible so that the required amendments, variations and additions to your AEL can be effected.
- You are required to submit a quarterly progress report on the implementation of your compliance road map and commitments that you made in support of the postponement application for Eskom Matla Power Station.




**APPLICATION FOR ALTERNATIVE LIMITS AND POSTPONEMENT OF COMPLIANCE TIME-FRAMES  
RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT; AIR QUALITY ACT, 2004 (ACT NO. 39  
OF 2004) MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (MATLA POWER  
STATION)**

- (c) You are also required to provide a progress report on implementation of offset projects where applicable, as well as other reporting requirements included in the AEL. The reports must be submitted to the NAQO and the AELA following the Department of Forestry, Fisheries and the Environment's financial year.
- (d) Eskom Matla Power Station's requirement to implement an offset programme to reduce Particulate Matter (PM) pollution in the ambient/receiving environment as your facility is located in the Highveld Priority Area remains in place.
- (e) The decision may be reviewed by the NAQO with the concurrence of AELA should ambient air quality conditions in the affected area of the plant not conform to ambient air quality standards.

Thank you for the co-operation in matters regarding your application.

Yours sincerely



**Dr Thuli N. Khumalo**

**Department of Forestry, Fisheries and the Environment**

**Designation: National Air Quality Officer**

**Date:** 30 October 2021







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**SANDTON**

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Dear Ms Herbst

## **RE: APPLICATION FOR ALTERNATIVE EMISSION LIMITS AND POSTPONEMENT OF THE MINIMUM EMISSION STANDARDS COMPLIANCE TIMEFRAMES FOR THE DUVHA POWER STATION**

We refer to the application by Eskom SOC Ltd (Eskom) to the National Air Quality Officer (NAQO) for "alternative limit and postponement of the minimum emissions standards compliance timeframes for the Duvha Power Station", dated March 2019 (the Application).

The Application was made in terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) (NEMAQA), read with the list of activities which result in atmospheric emissions which have or may have a significant detrimental effect on the environment, including health, social conditions, economic conditions, ecological conditions, or cultural heritage published under Government Notice (GN) 893, in Government Gazette (GG) 37054 of 22 November 2013, as amended by amongst others under GN 1207, published in GG 42013 of 31 October 2018 (List of Activities).

Section 21 of NEMAQA requires the Minister to publish a list of activities which result in atmospheric emissions which have or may have a significant detrimental effect on the environment, including health, social conditions, economic conditions, ecological conditions, or cultural heritage, and to establish minimum emissions standards (MES) in respect of a substance or mixture of substances resulting from each listed activity. The Minister is also authorised in terms of that section to, inter alia, include "transitional and other special arrangements in respect of activities which are carried out at the time of their listing." The List of Activities was adopted by the Minister in terms of that section.



The processing of personal information by the Department of Forestry, Fisheries and the Environment is done lawfully and not excessive to the purpose of processing in compliance with the POPI Act, any codes of conduct issued by the Information Regulator in terms of the POPI Act and / or relevant legislation providing appropriate security safeguards for the processing of personal information of others.

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**RE: APPLICATION FOR APPLICATION FOR ALTERNATIVE EMISSION LIMITS AND POSTPONEMENT OF THE MINIMUM EMISSION STANDARDS COMPLIANCE TIMEFRAMES FOR THE DUVHA POWER STATION**

The consequence of the adoption of the List of Activities in terms of section 21 of NEMAQA is that an atmospheric emission licence (AEL) is required to carry out listed activities and for the holders of such AELs to comply with the applicable MESs.

Eskom holds an AEL for the Duvha Power Station that authorises it to operate a "solid fuel combustion installation". It must operate Duvha Power Station in a manner that ensures compliance with the applicable MESs for that activity, which are as follows:

<b>Description:</b>		Solid fuels combustion installations used primarily for steam raising or electricity generation.	
<b>Application:</b>		All installations with design capacity equal to or greater than 50MW heat input per unit, based on the lower calorific value of the fuel used.	
Substance or mixture of substances		Plant status	mg/Nm <sup>3</sup> under normal conditions of 10% O <sub>2</sub> , 273 Kelvin and 101.3kPa.
Common name	Chemical symbol		
Particulate matter	N/A	New	50
		Existing	100
Sulphur dioxide	SO <sub>2</sub>	New	500
		Existing	3 500
Oxides of nitrogen	NO <sub>x</sub> expressed as NO <sub>2</sub>	New	750
		Existing	1 100

However, in 2015, Eskom was granted a postponement of the timeframes for compliance with MESs for SO<sub>2</sub> and NO<sub>x</sub> until 31 March 2025 for its operations at Duvha. The alternative emission limits for those substances for that period are 2300mg/Nm<sup>3</sup> for SO<sub>2</sub> and 1100mg/Nm<sup>3</sup> for NO<sub>x</sub>.

The List of Activities now provides for once-off postponements of the timeframes for compliance with applicable MESs. The List of Activities, in the relevant part, provides as follows:

*"(11) As contemplated in paragraph 5.4.3.5 of the National Framework for Air Quality Management in the Republic of South Africa, published in terms of Section 7 of this Act, an application may be made to the National Air Quality Officer for the postponement of the compliance time frames in paragraph (9) and (10) for an existing plant.*

*(11A) An existing plant may apply to the National Air Quality Officer for a once-off postponement with the compliance timeframes for minimum emission standards for new plant as contemplated in paragraph (10). A once-off postponement with the compliance timeframes for minimum emission standards for new plant may not exceed a period of five years from the date of issue. No once-off postponement with the compliance timeframes with minimum emission standards for new plant will be valid beyond 31 March 2025.*

*(11B) An existing plant to be decommissioned by 31 March 2030 may apply to the National Air Quality Officer before 31 March 2019 for a once-off suspension of compliance timeframes*

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*with minimum emission standards for new plant. Such an application must be accompanied by a detailed decommissioning schedule. No such application shall be accepted by the National Air Quality Officer after 31 March 2019.*

*(12) The application contemplated in paragraph (11A) and (11B) must include -*

- (a) an air pollution impact assessment compiled in accordance with the regulations prescribing the format of an Atmospheric Impact Report (as contemplated in Section 30 of the Act), by a person registered as a professional engineer or as a professional natural scientist in the appropriate category;*
- (b) a detailed justification and reasons for the application; and*
- (c) a concluded public participation process undertaken as specified in the National Environmental Management Act and the Environmental Impact Assessment Regulations made under section 24 (5) the aforementioned Act.*

*(12A)*

- (a) An existing plant may submit an application regarding a new plant standard to the National Air Quality Officer for consideration if the plant is in compliance with other emission standards but cannot comply with a particular pollutant or pollutants.*
- (b) An application must demonstrate a previous reduction in emissions of the said pollutant or pollutants, measures and direct investments implemented towards compliance with the relevant new plant standards.*
- (c) The National Air Quality Officer, after consultation with the Licensing Authority, may grant an alternative emission limit or emission load if –*
  - (i) there is material compliance with the national ambient air quality standards in the area for pollutant or pollutants applied for; or*
  - (ii) the Atmospheric Impact Report does not show a material increased health risk where there is no ambient air quality standard."*

It is not clear in terms of which of the above item/s in the List of Activities (item 11A, 11B or 12A) the Application was made. The given summary of what is requested in the Application is the following:

- "1) Postponement of the new plant PM limit between 1 April 2020 to 31 March 2025 and an alternative daily limit of 80mg/ Nm<sup>3</sup> for units 4, 5 & 6 until decommissioning (2030-2034)*
- 2) An alternative daily limit for SO<sub>2</sub> of 2600 mg/Nm<sup>3</sup> from 1 April 2020 until decommissioning (2030-2034)*
- 3) An alternative daily limit of 1100 mg/Nm<sup>3</sup> NO<sub>x</sub> between 1 April 2020 and decommissioning (2030-2034)."*

The Application comprises of an application for a postponement in terms of item (11A) as well as an application in terms of Paragraph (12A) in respect of three different pollutants:

- Postponement in terms of item (11A): the timeframes for compliance with the MES for particulate matter (PM) for a new plant for the period between 1 April 2020 and 31 March 2025 (in terms of item (11A))
- "Alternative daily limit" in terms of item (12A):
  - PM: 80mg/ Nm<sup>3</sup> for units 4, 5 & 6 until decommissioning (2030-2034)
  - Sulphur dioxide (SO<sub>2</sub>): 2600 mg/Nm<sup>3</sup> from 1 April 2020 until decommissioning (2030-2034)



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- Nitrogen oxides (NO<sub>x</sub>): 1100 mg/Nm<sup>3</sup> from 1 April 2020 until decommissioning (2030-2034)

After considering the Application and the supporting documents, and consulting the Licensing Authority, I have decided to refuse the Application in its entirety. The reasons for my decision are set out in short below. Those reasons are not necessarily the full reasons for my decision, and I reserve my rights to supplement those reasons in future. In my reasons for the decision, I deal with the two components of the Application identified in the previous paragraph separately.

**Postponement application**

Paragraph (11A) of the Listed Activities provides that 31 March 2025 is the latest date for which a once-off postponement of the timeframes for compliance with the MESs may be granted by the NAQO. This implies that if a postponement is granted the applicant must be able to comply with the MESs by no later than 31 March 2025. An applicant must therefore show what steps it will take to ensure its ability to comply with the MESs by 31 March 2025.

Eskom mentions in the Application that it is "making a financial investment into reducing particulate emissions from Duvha's operations, (sic) through the upgrade of emissions reduction technology." However, the Application does not include a comprehensive plan for upgrading the Duvha Power Station to a state in which it is able to emit PM below the MES by 31 March 2025. There is therefore no evidence before me that suggests that Eskom would be able to comply with the MESs by 31 March 2025 for units 4-6 of the Duvha Power Station. The application for a postponement is therefore refused.

**Alternative emission limits**

Paragraph (12A) of the Listed Activities provides that an application for alternative emission limits can only be made if the plant is in compliance with other emission standards but cannot comply with a standard for a particular pollutant or pollutants (paragraph (a)). It also provides that such an application *must* demonstrate a previous reduction in emissions of the said pollutant or pollutants, measures and direct investments implemented towards compliance with the relevant new plant standards (paragraph (b)). Furthermore, it provides that such an application for alternative emission limits may not be granted unless -

- there is material compliance with the national ambient air quality standards in the area for pollutant or pollutants applied for; and
- the Atmospheric Impact Report does not show a material increased health risk where there is no ambient air quality standard (paragraph (c)).

In the Application, Eskom states that it does not comply with *any* of the emission standards set out in the Listed Activities for "solid fuels combustion installations". The Application therefore does not meet the requirement set out in paragraph (a).

The Application does not demonstrate a previous reduction in emissions of PM, SO<sub>2</sub> or NO<sub>x</sub>. As stated above, Eskom states that it is making an investment into reducing PM emissions from Duvha's operations, but does not specify if that investment was made "towards compliance" with the MES for PM. The requirement set out in item (12A)(b) has therefore not been met for PM, SO<sub>2</sub> or NO<sub>x</sub>.



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It is also clear from the Application that there is not material compliance with the national ambient air quality standards for PM and SO<sub>2</sub> in the area where Duvha is situated (Highveld Priority Area). The requirement set out in item (12A)(c) has therefore not been met for PM or SO<sub>2</sub>.

The Application for alternative emission limits for PM, SO<sub>2</sub> and NO<sub>x</sub> is therefore also refused.

**Consequences of the refusal**

Since no previous postponement has been granted for PM emissions from Duvha, the MES for PM emissions from Duvha's operations is 50 mg/Nm<sup>3</sup> as provided for in the Listed Activities.

The MES for SO<sub>2</sub> emissions from Duvha's operations remains 2300mg/NM<sup>3</sup> until 31 March 2025, after which date it becomes 1000mg/NM<sup>3</sup> as provided for in the Listed Activities.

The MES for NO<sub>x</sub> emissions from Duvha's operations remains 1100mg/NM<sup>3</sup> until 31 March 2025, after which date it becomes 750mg/NM<sup>3</sup> as provided for in the Listed Activities.

A summary of the decision and the consequences of the decision are set out in the table below.

S21 Category	Appliance	Postponement Sought	Emission Standards			
			Minimum Emission Standards (mg/Nm <sup>3</sup> )			Decision
			Pollutant	2015	2020	
<b>Subcategory 1.1: Solid Fuel Combustion Installations</b>	Units 4-6	80 mg/Nm <sup>3</sup> from 1 April 2020 until 2025  80 mg/Nm <sup>3</sup> until decommissioning (2030-2034)	PM	100	50	Alternative limit request until decommissioning is declined as the facility does not comply or meet the requirement of GN 1207 of 2018, (12A)(a), (b) and (c)(i).  Postponement until 31 March 2025 is declined because the facility did not demonstrate the intention to comply with the new plant standard of 50mg/Nm <sup>3</sup> .
	6 Units	2600 mg/Nm <sup>3</sup> from 1 April 2020 until decommissioning (2030-2034)	SO <sub>2</sub>	3500	1000	Alternative limit request until decommissioning is declined as the facility does not comply or meet the requirement of GN 1207 of 2018, (12A)(a), (b) and (c)(i).

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						The requirement to comply with the minimum emission standards for new plant as stated in the 2015 postponement decision with a limit of <b>2300mg/Nm<sup>3</sup></b> from 1 April 2020 to 31 March 2025 thus remains in place.
	6 Units	1100 mg/Nm <sup>3</sup> from 1 April 2020 until decommissioning (2030-2034)	NO <sub>x</sub>	1100	750	Alternative limit request until decommissioning is declined as the facility does not comply or meet the requirement of GN 1207 of 2018, 12A(a) and 12A(b). The requirement to comply with the minimum emission standards for new plant as stated in the 2015 postponement decision with a limit of <b>1100mg/Nm<sup>3</sup></b> from 1 April 2020 to 31 March 2025 thus remains in place.

\* All minimum emission standards are expressed on a daily average basis, under normal conditions of 273 Kelvin, 10% oxygen and 101.3 kPa.

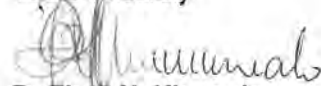
This decision will have to be reflected in your Atmospheric Emission Licence to be of force and effect. Therefore, you must liaise with the relevant Atmospheric Emission Licensing Authority in this regard as soon as possible so that the required amendments, variations and additions to your Atmospheric Emission License can be effected.

In addition, you are required to submit a quarterly progress report on the implementation of your compliance road map and commitments that you made in support of the postponement application for Eskom Duvha Power Station. You are also required to provide a progress report on implementation of offset projects where applicable, as well as other reporting requirements included in the Atmospheric Emission Licence. The reports must be submitted to the National Air Quality Officer and the Licensing Authority following the Department's financial year.

Lastly, Eskom's requirement to implement an offset programme to reduce PM pollution in the ambient/receiving environment as your facility is located in the Highveld Priority Area remains in place.

Thank you for the co-operation in matters regarding your application.

Yours sincerely



**Dr Thuli N. Khumalo**  
**Department of Forestry, Fisheries and the Environment**  
**Designation: National Air Quality Officer**

Date: 30 October 2021





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REPUBLIC OF SOUTH AFRICA

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**Reference:** MP/ES-KE/NDM/20190326

**Enquiries:** Derrick Makhubele

**Tel:** 012 399 9800 **Email:** [dmakhubele@environment.gov.za](mailto:dmakhubele@environment.gov.za)

Ms Deidre Herbst  
Eskom Holdings SOC Ltd  
Kendal Power Station  
Megawatt Park  
Maxwell Drive, Sunninghill  
**SANDTON**

**Email:** [HerbstDL@eskom.co.za](mailto:HerbstDL@eskom.co.za)

Dear Ms Herbst

## **APPLICATION FOR ALTERNATIVE LIMITS AND POSTPONEMENT OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT, 2004 (ACT NO. 39 OF 2004) MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (KENDAL POWER STATION)**

The above-mentioned application dated March 2019 under reference No. ENV18-R240 rev 2 for alternative limits and postponement of compliance timeframes relating to the minimum emission standards for Eskom Holdings SOC LTD (Eskom) (Kendal Power Station) has reference.

In terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) (NEM: AQA), all of Eskom's coal and liquid fuel-fired power stations are required to meet the Minimum Emission Standards (MES) published under Government Notice No. 893 in Gazette No 37054 on 22 November 2013 (the 2013 Notice) as amended, which was promulgated in terms of section 21 of the NEM: AQA.

The 2013 Notice was amended, amongst others, under Government Notice (GN) No. 1207, Gazette (GG) No 42013 on 31 October 2018 (the 2018 Notice) to make provision for suspension applications and once off postponement applications for existing plants.

In terms of paragraph (11A) of the 2018 Notice, an existing plant may apply to the National Air Quality Officer (NAQO) for a once-off postponement with the compliance timeframes for minimum emission standards for new plant as contemplated in paragraph (10). A once-off postponement with the compliance timeframes for minimum emission standards for new plant may not exceed a period of 5



The processing of personal information by the Department of Forestry, Fisheries and the Environment is done lawfully and not excessive to the purpose of processing in compliance with the POPI Act, any codes of conduct issued by the Information Regulator in terms of the POPI Act and / or relevant legislation providing appropriate security safeguards for the processing of personal information of others.

TNK



**APPLICATION FOR ALTERNATIVE LIMITS AND POSTPONEMENT OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT, 2004 (ACT NO. 39 OF 2004) MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (KENDAL POWER STATION)**

years from the date of issue. No once-off postponement with the compliance timeframes with minimum emission standards for new plant will be valid beyond 31 March 2025.

Paragraph (12A) of the 2018 Notice provides that:

- (a) An existing plant may submit an application regarding a new plant standard to the NAQO for consideration if the plant is in compliance with other emission standards but cannot comply with a particular pollutant or pollutants;
- (b) An application must demonstrate a previous reduction in emissions of the said pollutant or pollutants, measures and direct investments implemented towards compliance with the relevant new plant standards;
- (c) The NAQO, after consultation with the Atmospheric Emissions Licensing Authority (AELA), may grant an alternative emission limit or emission load if:
  - (i) There is material compliance with the national ambient air quality standards in the areas for pollutant or pollutants applied for; or
  - (ii) The Atmospheric Impact Report does not show a material increased health risk where there is no ambient air quality standard.

I have considered the reasons that informed your application as stated in paragraph 5 of your application which include, amongst others:

- (i) The remaining power station life and project development timelines;
- (ii) The water availability
- (iii) The environmental implications of Flue Gas Desulphurization;
- (iv) The Kendal impact on ambient air quality;
- (v) The cost implications of compliance with the MES; and
- (vi) Project delays.

Paragraph 13 of the 2018 Notice, empowers the NAQO, with the concurrence from the Atmospheric Emissions Licensing Authority (AELA) to grant the application contemplated in paragraph 11A, with or without conditions, or to refuse the application with written reasons.

Under paragraph 13 of the 2018 Notice, with concurrence of the Nkangala District Municipality, as the AELA, and taking into account the provisions of paragraphs (11A) and (12A), I have considered your application and came to the decision as captured in Table A. The reasons for my decision are also captured in the last column of Table A.

**Table A: Decisions**

S21 Category	Appliance	Postponement Sought	Emission Standards			
			Minimum Emission Standards (mg/Nm <sup>3</sup> )			Decision
			Pollutant	2015	2020	
Subcategory 1.1: Solid Fuel Combustion	6 Units	100 mg/Nm <sup>3</sup> from 1 April 2020 to 31	PM	100	50	Alternative limit request until decommissioning is declined as the facility does not comply or

APPLICATION FOR ALTERNATIVE LIMITS AND POSTPONEMENT OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT, 2004 (ACT NO. 39 OF 2004) MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (KENDAL POWER STATION)

Installations		March 2025  85 mg/Nm <sup>3</sup> from 1 April 2025 till decommissioning (2039-2044)				meet the requirement of GN 1207 of 2018, (12A)(a) and (12A)(c)(i).  Postponement until 31 March 2025 is declined because the facility did not demonstrate the intention to comply with the new plant standard of 50mg/Nm <sup>3</sup> .
		3000 mg/Nm <sup>3</sup> (monthly) from 1 April 2025 till decommissioning (2039-2044)	SO <sub>2</sub>	3500	1000	Alternative limit request until decommissioning is declined as the facility does not comply or meet the requirement of GN 1207 of 2018, (12A)(a) and (12A)(c)(i).  Postponement of compliance timeframe of 3000mg/Nm <sup>3</sup> (monthly) is declined as the facility does not comply or meet the requirement of GN 1207 of 2018, (11A) and (12A)(b). The requirement to comply with the minimum emission standards for new plant as stated in the 2015 postponement decision with a limit of <b>2600mg/Nm<sup>3</sup></b> from 1 April 2020 to 31 March 2025 thus remains in place.
		1100 mg/Nm <sup>3</sup> alternative daily limit  750 mg/Nm <sup>3</sup> (monthly) from 1 April 2025 till decommissioning (2039-2044)	NO <sub>x</sub>	1100	750	Alternative limit until decommissioning is declined as the facility does not comply or meet the requirement of GN 1207 of 2018, (12A) (a).  Postponement of compliance with the minimum emission standards for new plant is granted with a limit of <b>1100mg/Nm<sup>3</sup></b> from 1 April 2020 to 31 March 2025.

\* All minimum emission standards are expressed on a daily average basis, under normal conditions of 273 Kelvin, 10% oxygen and 101.3 kPa.

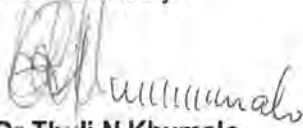
**APPLICATION FOR ALTERNATIVE LIMITS AND POSTPONEMENT OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT, 2004 (ACT NO. 39 OF 2004) MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (KENDAL POWER STATION)**

The decision is further subject to the following conditions:

- (a) This decision will have to be reflected in your Atmospheric Emission Licence (AEL) to be in force and effect. Therefore, you must liaise with the relevant AELA in this regard as soon as possible so that the required amendments, variations and additions to your AEL can be effected.
- (b) You are required to submit a quarterly progress report on the implementation of your compliance road map and commitments that you made in support of the postponement application for Eskom Kendal Power Station.
- (c) You are also required to provide a progress report on implementation of offset projects where applicable, as well as other reporting requirements included in the AEL. The reports must be submitted to the NAQO and the AELA following the Department of Forestry, Fisheries and the Environment's financial year.
- (d) Eskom Kendal Power Station's requirement to implement an offset programme to reduce Particulate Matter (PM) pollution in the ambient/receiving environment as your facility is located in the Highveld Priority Area remains in place.
- (e) The decision may be reviewed by the NAQO with the concurrence of AELA should ambient air quality conditions in the affected area of the plant not conform to ambient air quality standards.

Thank you for the co-operation in matters regarding your application.

Yours sincerely



**Dr Thuli N Khumalo**

**Department of Forestry, Fisheries and the Environment**

**Designation: National Air Quality Officer**

**Date:** 30 October 2021







# forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
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Ms Deidre Herbst  
Eskom Holdings SOC Ltd  
Matimba Power Station  
Megawatt Park  
Maxwell Drive, Sunninghill  
**SANDTON**

**Email:** [HerbstDL@eskom.co.za](mailto:HerbstDL@eskom.co.za)

Dear Ms Herbst

## **APPLICATION FOR ALTERNATIVE LIMITS AND POSTPONEMENT OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT, 2004 (ACT NO. 39 OF 2004) MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (MATIMBA POWER STATION)**

The above-mentioned application dated August 2020 under reference No. ENV20-R124 rev 2 for alternative limits and postponement of compliance timeframes relating to the minimum emission standards for Eskom Holdings SOC LTD (Eskom) (Matimba Power Station) has reference.

In terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) (NEM: AQA), all of Eskom's coal and liquid fuel-fired power stations are required to meet the Minimum Emission Standards (MES) published under Notice No. 893, in Gazette No 37054 on 22 November 2013 (the 2013 Notice), which was promulgated in terms of section 21 of the NEM: AQA.

The 2013 Notice was amended, amongst others, under Government Notice (GN) No. 1207, Government Gazette (GG) No 42013 on 31 October 2018 (the 2018 Notice) to make provision for suspension applications and once off postponement applications for existing plants.

In terms of paragraph (11A) of the Notice, an existing plant may apply to the National Air Quality Officer (NAQO) for a once-off postponement with the compliance timeframes for minimum emission standards for new plant as contemplated in paragraph (10). A once-off postponement with the compliance timeframes for minimum emission standards for new plant may not exceed a period of 5 years from the date of issue. No once-off postponement with the compliance timeframes with minimum emission standards for new plant will be valid beyond 31 March 2025.



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TNk

**APPLICATION FOR ALTERNATIVE LIMITS AND POSTPONEMENT OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT, 2004 (ACT NO. 39 OF 2004) MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (MATIMBA POWER STATION)**

Paragraph (12A) of the 2018 Notice provides that:

- (a) An existing plant may submit an application regarding a new plant standard to the NAQO for consideration if the plant is in compliance with other emission standards, but cannot comply with a particular pollutant or pollutants;
- (b) An application must demonstrate a previous reduction in emissions of the said pollutant or pollutants, measures and direct investments implemented towards compliance with the relevant new plant standards;
- (c) The NAQO, after consultation with the Atmospheric Emissions Licensing Authority (AELA), may grant an alternative emission limit or emission load if:
  - (i) There is material compliance with the national ambient air quality standards in the areas for pollutant or pollutants applied for; or
  - (ii) The Atmospheric Impact Report does not show a material increased health risk where there is no ambient air quality standard.

I have considered the reasons that informed your application as stated in paragraph 6 of your application which include, amongst others:

- (i) The coal quality;
- (ii) The plant performance;
- (iii) The remaining power station Life;
- (iv) Water availability;
- (v) Environmental implications of Flue Gas desulphurization;
- (vi) Matimba's impact on ambient air quality;
- (vii) Cost implications of compliance with the MES; and
- (viii) The state of air in the Waterberg region.

Paragraph 13 of the Notice, empowers the NAQO with the concurrence from the Atmospheric Emissions Licensing Authority (AELA), to grant the application contemplated in paragraph 11A, with or without conditions, or to refuse the application with written reasons.

Under paragraph 13 of the Notice, with concurrence of the Waterberg District Municipality, as the AELA, and taking into account the provisions of paragraphs (11A) and (12A), I have considered your application and came to the decision as captured in Table A. The reasons for my decision are also captured in the last column of Table A.

**Table A: Decisions**

S21 Category	Appliance	Postponement Sought	Emission Standards			
			Minimum Emission Standards (mg/Nm <sup>3</sup> )			Decision
			Pollutant	2015	2020	
<b>Subcategory 1.1: Solid Fuel Combustion Installations</b>	6 Units	50mg/Nm <sup>3</sup> (monthly) from 1 April 2020 until decommissioning	PM	100	50	Alternative limit is declined as the facility does not comply or meet the requirement of GN 1207 of 2018, (12A)(a) and (12A)(c)(i).

**APPLICATION FOR ALTERNATIVE LIMITS AND POSTPONEMENT OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT, 2004 (ACT NO. 39 OF 2004) MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (MATIMBA POWER STATION)**

		4000mg/Nm <sup>3</sup> (monthly) from 1 April 2020 until decommissionin g	SO <sub>2</sub>	3500	1000	Alternative limit is declined as the facility does not comply or meet the requirement of GN 1207 of 2018, (12A)(a) and (12A)(b). The requirement to comply with the minimum emission standards for new plant as stated in the 2015 postponement decision with a limit of <b>3500mg/Nm<sup>3</sup></b> from 1 April 2020 to 31 March 2025 thus remains in place.
		750mg/Nm <sup>3</sup> (monthly) from 1 April 2020 until decommissionin g	NO <sub>x</sub>	1100	750	Alternative limit is declined as the facility does not comply or meet the requirement of GN 1207 of 2018, (12A)(a).

\* All minimum emission standards are expressed on a monthly average basis, under normal conditions of 273 Kelvin, 10% oxygen and 101.3 kPa.

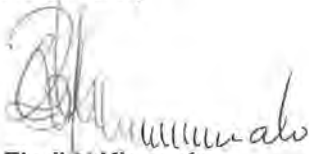
The decision is further subject to the following conditions:

- This decision will have to be reflected in your Atmospheric Emission Licence (AEL) to be of force and effect. Therefore, you must liaise with the relevant AELA in this regard as soon as possible so that the required amendments, variations and additions to your AEL can be effected.
- You are required to submit a quarterly progress report on the implementation of your compliance road map and commitments that you made in support of the postponement application for Eskom Matimba Power Station.
- You are also required to provide a progress report on implementation of offset projects where applicable, as well as other reporting requirements included in the AEL. The reports must be submitted to the NAQO and the AELA following the Department of Forestry, Fisheries and the Environment's financial year.
- Eskom Matimba Power Station is required to implement an offset programme to reduce SO<sub>2</sub> pollution in the ambient/receiving environment as the facility is located in the Waterberg-Bojanala Priority Area. A definite offset implementation plan is expected from Eskom Holdings SOC Ltd (Matimba Power Station) within 90 days from the date of issue of this decision.
- The decision may be reviewed by the NAQO with the concurrence of AELA should ambient air quality conditions in the affected area of the plant not conform to ambient air quality standards.

APPLICATION FOR ALTERNATIVE LIMITS AND POSTPONEMENT OF COMPLIANCE TIME-FRAMES  
RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT, 2004 (ACT NO. 39  
OF 2004) MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (MATIMBA POWER  
STATION)

Thank you for the co-operation in matters regarding your application.

Yours sincerely



**Dr Thuli N Khumalo**

**Department of Forestry, Fisheries and the Environment**

**Designation: National Air Quality Officer**

**Date:** 30 October 2021







# forestry, fisheries & the environment

Department:  
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**REPUBLIC OF SOUTH AFRICA**

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**Enquiries:** Derrick Makhubele

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Ms Deidre Herbst  
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Majuba Power Station  
Megawatt Park  
Maxwell Drive, Sunninghill  
**SANDTON**

**Email:** [HerbstDL@eskom.co.za](mailto:HerbstDL@eskom.co.za)

Dear Ms Herbst

## **APPLICATION FOR ALTERNATIVE LIMITS AND POSTPONEMENT OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT, 2004 (ACT NO. 39 OF 2004) MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (MAJUBA POWER STATION)**

The above-mentioned application dated March 2019 under reference No. ENV18-R243 rev 2 for alternative limits and postponement of compliance timeframes relating to the minimum emission standards for Eskom Holdings SOC LTD (Eskom) (Majuba Power Station) has reference.

In terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) (NEM: AQA), all of Eskom's coal and liquid fuel-fired power stations are required to meet the Minimum Emission Standards (MES) published under Government Notice No. 893, in Gazette No. 37054 on 22 November 2013 (the 2013 Notice) which was promulgated in terms of section 21 of the NEM: AQA.

The 2013 Notice was amended, amongst others, under Government Notice No. 1207, in Gazette No. 42013 on 31 October 2018 (the 2018 Notice) to make provision for suspension applications and once off postponement applications for existing plants.

In terms of paragraph (11A) of the 2018 Notice, an existing plant may apply to the National Air Quality Officer (NAQO) for a once-off postponement with the compliance timeframes for minimum emission standards for new plant as contemplated in paragraph (10). A once-off postponement with the compliance timeframes for minimum emission standards for new plant may not exceed a period of



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TNK

**APPLICATION FOR ALTERNATIVE LIMITS AND POSTPONEMENT OF COMPLIANCE TIME-FRAMES  
RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004  
MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (MAJUBA POWER STATION)**

5 years from the date of issue. No once-off postponement with the compliance timeframes with minimum emission standards for new plant will be valid beyond 31 March 2025.

Paragraph (12A) of the 2018 Notice provides that:

- (a) An existing plant may submit an application regarding a new plant standard to the NAQO for consideration if the plant is in compliance with other emission standards but cannot comply with a particular pollutant or pollutants;
- (b) An application must demonstrate a previous reduction in emissions of the said pollutant or pollutants, measures and direct investments implemented towards compliance with the relevant new plant standards;
- (c) The NAQO, after consultation with the Atmospheric Emissions Licensing Authority (AELA), may grant an alternative emission limit or emission load if:
  - (i) There is material compliance with the national ambient air quality standards in the areas for pollutant or pollutants applied for; or
  - (ii) The Atmospheric Impact Report does not show a material increased health risk where there is no ambient air quality standard.

I have considered the reasons that informed your application as stated in paragraph 5 of your application which include, amongst others:

- (i) The remaining power station life;
- (ii) The water availability
- (iii) The environmental implications of Flue Gas desulphurization;
- (iv) Majuba's impact on ambient air quality;
- (v) The Cost implications of compliance with the MES; and
- (vi) Project delays.

Paragraph 13 of the 2018 Notice, empowers the NAQO with the concurrence from the Atmospheric Emissions Licensing Authority (AELA) to grant the application contemplated in paragraph (11A), with or without conditions, or to refuse the application with written reasons.

Under paragraph 13 of the 2018 Notice, with concurrence of the Gert Sibande District Municipality, as the AELA, and taking into account the provisions of paragraphs (11A) and (12A), I have considered your application and came to the decision as captured in Table A. The reasons for my decision are also captured in the last column of Table A.

APPLICATION FOR ALTERNATIVE LIMITS AND POSTPONEMENT OF COMPLIANCE TIME-FRAMES  
RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004  
MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (MAJUBA POWER STATION)

Table A Decisions

S21 Category	Appliance	Postponement Sought	Emission Standards			
			Minimum Emission Standards (mg/Nm <sup>3</sup> )			Decision
			Pollutant	2015	2020	
<b>Subcategory</b> 1.1: Solid Fuel Combustion Installations	6 Units	3500mg/Nm <sup>3</sup> from 1 April 2020 until 31 March 2025.  3000mg/Nm <sup>3</sup> from 1 April 2025 until decommissioning by 2051.	SO <sub>2</sub>	3500	1000	Postponement of compliance timeframe with the minimum emission standards beyond 2025 is declined as the facility does not comply or meet the requirement of GN 1207 of 2018, (11A).  Alternative limit request is declined as the facility does not comply or meet the requirement of GN 1207 of 2018, (12A)(a) and (12A)(b).  The requirement to comply with the minimum emission standards for new plant as stated in the 2015 postponement decision with a limit of <b>3200mg/Nm<sup>3</sup></b> from 1 April 2020 to 31 March 2025 thus remains in place.
		1400mg/Nm <sup>3</sup> (monthly) from 1 April 2020  750mg/Nm <sup>3</sup> from 1 April 2026 until decommissioning by 2051	NO <sub>x</sub>	1100	750	Alternative limit is declined as the facility does not comply or meet the requirement of GN 1207 of 2018, (12A) (a) and (12A)(b).  Postponement application beyond 31 March 2025 is declined as the facility does not comply or meet the requirement of GN 1207 of 2018 (11A).

**APPLICATION FOR ALTERNATIVE LIMITS AND POSTPONEMENT OF COMPLIANCE TIME-FRAMES  
RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004  
MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (MAJUBA POWER STATION)**

						Postponement issued from 1 April 2020 to 31 March 2025 with the emission limit of <b>1300 mg/Nm<sup>3</sup></b> .
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\* All minimum emission standards are expressed on a daily average basis, under normal conditions of 273 Kelvin, 10% oxygen and 101.3 kPa.

The decision is further subject to the following conditions:

- (a) This decision will have to be reflected in your Atmospheric Emission Licence (AEL) to be of force and effect. Therefore, you must liaise with the relevant AELA in this regard as soon as possible so that the required amendments, variations and additions to your AEL can be effected.
- (b) You are required to submit a quarterly progress report on the implementation of your compliance road map and commitments that you made in support of the postponement application for Eskom Majuba Power Station.
- (c) You are also required to provide a progress report on implementation of offset projects where applicable, as well as other reporting requirements included in the AEL. The reports must be submitted to the NAQO and the AELA following the Department of Forestry, Fisheries and the Environment's financial year.
- (d) Eskom Majuba Power Station's requirement to implement an offset programme to reduce Particulate Matter (PM) pollution in the ambient/receiving environment as your facility is located in the Highveld Priority Area remains in place.
- (e) The decision may be reviewed by the NAQO with the concurrence of AELA should ambient air quality conditions in the affected area of the plant not conform to ambient air quality standards.

Thank you for the co-operation in matters regarding your application.

Yours sincerely



**Dr Thuli N Khumalo**  
**Department of Forestry, Fisheries and the Environment**  
**Designation: National Air Quality Officer**

**Date:** 30 October 2021







# forestry, fisheries & the environment

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Forestry, Fisheries and the Environment  
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**Reference:** MP/ES-T/GSDM/20181112

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Ms Deidre Herbst  
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Tutuka Power Station  
Megawatt Park  
Maxwell Drive, Sunninghill  
**SANDTON**

**Email:** [HerbstDL@eskom.co.za](mailto:HerbstDL@eskom.co.za)

Dear Ms Herbst

## **APPLICATION FOR POSTPONEMENT OF THE MINIMUM EMISSION STANDARDS COMPLIANCE TIMEFRAMES AND REQUEST FOR ALTERNATIVE LIMITS FOR PARTICULATE MATTER, SULPHUR DIOXIDE AND NITROGEN OXIDES AT TUTUKA POWER STATION**

The above-mentioned application dated November 2018 under reference No. ENV18-L297 for alternative limits and postponement of compliance timeframes relating to the minimum emission standards for Eskom Holdings SOC LTD (Eskom) (Tutuka Power Station) has reference.

In terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) (NEM: AQA), all of Eskom's coal and liquid fuel-fired power stations are required to meet the Minimum Emission Standards (MES) published under Government Notice No. 893, Gazette No. 37054 on 22 November 2013 (the 2013 Notice) which was promulgated in terms of section 21 of the NEM: AQA.

The 2013 Notice was amended, amongst others under Government Notice (GN) No. 1207, Gazette (GG) No 42013 on 31 October 2018 (the 2018 Notice) to make provision for suspension applications and once off postponement applications for existing plants.

In terms of paragraph (11A) of the 2018 Notice, an existing plant may apply to the National Air Quality Officer (NAQO) for a once-off postponement with the compliance timeframes for minimum emission standards for new plant as contemplated in paragraph (10). A once-off postponement with the compliance timeframes for minimum emission standards for new plant may not exceed a period of 5 years from the date of issue. No once-off postponement with the compliance timeframes with minimum emission standards for new plant will be valid beyond 31 March 2025.



# APPLICATION FOR POSTPONEMENT OF THE MINIMUM EMISSION STANDARDS COMPLIANCE TIMEFRAMES AND REQUEST FOR ALTERNATIVE LIMITS FOR PARTICULATE MATTER, SULPHUR DIOXIDE AND NITROGEN OXIDES AT TUTUKA POWER STATION

Paragraph (12A) of the 2018 Notice provides that:

- (a) an existing plant may submit an application regarding a new plant standard to the NAQO for consideration if the plant is in compliance with other emission standards but cannot comply with a particular pollutant or pollutants;
- (b) An application must demonstrate a previous reduction in emissions of the said pollutant or pollutants, measures and direct investments implemented towards compliance with the relevant new plant standards;
- (c) The NAQO, after consultation with the Atmospheric Emissions Licensing Authority (AELA), may grant an alternative emission limit or emission load if:
  - (i) There is material compliance with the national ambient air quality standards in the areas for pollutant or pollutants applied for; or
  - (ii) The Atmospheric Impact Report does not show a material increased health risk where there is no ambient air quality standard.

I have considered the reasons that informed your application as stated in paragraph 5 of your application which include, amongst others:

- (i) Current PM, NO<sub>x</sub> and SO<sub>2</sub> emissions;
- (ii) Technology options for emission reduction
- (iii) Abatement technology retrofit schedule;
- (iv) Interim solutions to reduce emissions;
- (v) Impact on ambient air quality; and
- (vi) Health implications.

Paragraph 13 of the 2018 Notice, empowers the NAQO with the concurrence from the Atmospheric Emissions Licensing Authority (AELA) to grant the application contemplated in paragraph (11A), with or without conditions, or to refuse the application with written reasons.

Under paragraph 13 of the 2018 Notice, with concurrence of the Gert Sibande District Municipality, as the AELA, and taking into account the provisions of paragraphs (11A) and (12A), I have considered your application and came to the decision as captured in Table A. The reasons for my decision are also captured in the last column of Table A.

**Table A: Decisions**

S21 Category	Appliance	Postponement Sought	Emission Standards			
			Minimum Emission Standards (mg/Nm <sup>3</sup> )			Decision
			Pollutant	2015	2020	
<b>Subcategory 1.1:</b> Solid Fuel Combustion Installations	6 Units	300 mg/Nm <sup>3</sup> (daily) or 200mg/Nm <sup>3</sup> (monthly) from 1 January 2019 until 31 March 2027	PM	100	50	Alternative limit request beyond 2025 is declined as the facility does not comply or meet the requirement of GN 1207 of 2018, (12A)(a) and (12A)(c)(i). The requirement to comply with the minimum emission standards for new

**APPLICATION FOR POSTPONEMENT OF THE MINIMUM EMISSION STANDARDS COMPLIANCE TIMEFRAMES AND REQUEST FOR ALTERNATIVE LIMITS FOR PARTICULATE MATTER, SULPHUR DIOXIDE AND NITROGEN OXIDES AT TUTUKA POWER STATION**

						plant as stated in the 2015 postponement decision with a limit of <b>100mg/Nm<sup>3</sup></b> from 1 January 2020 to 31 March 2025 thus remains in place.
		3000mg/Nm <sup>3</sup> from 1 April 2020	SO <sub>2</sub>	3500	1000	Alternative limit until decommissioning is declined as the facility does not comply or meet the requirement of GN 1207 of 2018, (12A)(a) and (12A)(b). The requirement to comply with the minimum emission standards for new plant as stated in the 2015 postponement decision with a limit of <b>3400mg/Nm<sup>3</sup></b> from 1 April 2020 to 31 March 2025 thus remains in place.
		3000mg/Nm <sup>3</sup> from 1 April 2025 until decommissioning				
		1200mg/Nm <sup>3</sup> from 1 April 2020 until 31 March 2026	NO <sub>x</sub>	1100	750	Postponement/alternative limit beyond 2025 is declined as the facility do not comply or meet the requirement of GN 1207 of 2018 11A, (12A)(a) and (12A)(b). Postponement of compliance with the minimum emission standards for new plant is granted with a limit of <b>1100mg/Nm<sup>3</sup></b> from 1 April 2020 to 31 March 2025.

\* All minimum emission standards are expressed on a daily average basis, under normal conditions of 273 Kelvin, 10% oxygen and 101.3 kPa.

The decision is further subject to the following conditions:

- This decision will have to be reflected in your Atmospheric Emission Licence (AEL) to be of force and effect. Therefore, you must liaise with the relevant AELA in this regard as soon as possible so that the required amendments, variations and additions to your AEL can be effected.
- You are required to submit a quarterly progress report on the implementation of your compliance road map and commitments that you made in support of the postponement application for Eskom Tutuka Power Station.
- You are also required to provide a progress report on implementation of offset projects where applicable, as well as other reporting requirements included in the AEL. The reports must be submitted to the NAQO and the AELA following the Department of Forestry, Fisheries and the Environment's financial year.



**APPLICATION FOR POSTPONEMENT OF THE MINIMUM EMISSION STANDARDS COMPLIANCE TIMEFRAMES AND REQUEST FOR ALTERNATIVE LIMITS FOR PARTICULATE MATTER, SULPHUR DIOXIDE AND NITROGEN OXIDES AT TUTUKA POWER STATION**

- (d) Eskom Tutuka Power Station's requirement to implement an offset programme to reduce Particulate Matter (PM) pollution in the ambient/receiving environment as your facility is located in the Highveld Priority Area remains in place.
- (e) A detailed compliance roadmap must be submitted to the Department a year from the date of issue of this decision.
- (f) The decision may be reviewed by the NAQO with the concurrence of AELE should ambient air quality conditions in the affected area of the plant not conform to ambient air quality standards.

Thank you for the co-operation in matters regarding your application.

Yours sincerely



**Dr Thuli N Khumalo**

**Department of Forestry, Fisheries and the Environment**

**Designation: National Air Quality Officer**

**Date:** 30 October 2021





# forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
**REPUBLIC OF SOUTH AFRICA**

Private Bag X447, Pretoria, 0001, Environment House, 473 Steve Biko Road, Pretoria, 0002 Tel: +27 12 399 9000, Fax: + 27 86 625 1042

**Reference:** LP/ES-ME/WDM/20200901

**Enquiries:** Derrick Makhubele

**Tel:** 012 399 9800 **Email:** [dmakhubele@environment.gov.za](mailto:dmakhubele@environment.gov.za)

Ms Deidre Herbst  
Eskom Holdings SOC Ltd  
Medupi Power Station  
Megawatt Park  
Maxwell Drive, Sunninghill  
**SANDTON**

**Email:** [HerbstDL@eskom.co.za](mailto:HerbstDL@eskom.co.za)

Dear Ms Herbst

## **APPLICATION FOR ALTERNATIVE LIMITS AND POSTPONEMENT OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT, 2004 (ACT NO. 39 OF 2004) MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (MEDUPI POWER STATION)**

The above-mentioned application dated August 2020 under reference No. ENV20-R125 rev 2 for alternative limits and postponement of compliance timeframes relating to the minimum emission standards for Eskom Holdings SOC LTD (Eskom) (Medupi Power Station) has reference.

In terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) (NEM: AQA), all of Eskom's coal and liquid fuel-fired power stations are required to meet the Minimum Emission Standards (MES) published under Government Notice No. 893, Gazette No. 37054 on 22 November 2013 (the 2013 Notice) which was promulgated in terms of section 21 of the NEM: AQA.

The 2013 Notice was amended, amongst others, under Government Notice (GN) No. 1207, Gazette (GG) No. 42013 on 31 October 2018 (the 2018 Notice) to give provisions for suspension applications and once off postponement applications for existing plants.

In terms of paragraph (11A) of the 2018 Notice, an existing plant may apply to the National Air Quality Officer (NAQO) for a once-off postponement with the compliance timeframes for minimum emission standards for new plant as contemplated in paragraph (10). A once-off postponement with the



The processing of personal information by the Department of Forestry, Fisheries and the Environment is done lawfully and not excessive to the purpose of processing in compliance with the POPI Act, any codes of conduct issued by the Information Regulator in terms of the POPI Act and / or relevant legislation providing appropriate security safeguards for the processing of personal information of others.

TN/c

**APPLICATION FOR ALTERNATIVE LIMITS AND POSTPONEMENT OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT, 2004 (ACT NO. 39 OF 2004) MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (MEDUPI POWER STATION)**

compliance timeframes for minimum emission standards for new plant may not exceed a period of 5 years from the date of issue. No once-off postponement with the compliance timeframes with minimum emission standards for new plant will be valid beyond 31 March 2025.

Paragraph (12A) of the 2018 Notice provides that:

- (a) an existing plant may submit an application regarding a new plant standard to the NAQO for consideration if the plant is in compliance with other emission standards but cannot comply with a particular pollutant or pollutants;
- (b) An application must demonstrate a previous reduction in emissions of the said pollutant or pollutants, measures and direct investments implemented towards compliance with the relevant new plant standards;
- (c) The NAQO, after consultation with the Atmospheric Emissions Licensing Authority (AELA), may grant an alternative emission limit or emission load if:
  - (i) There is material compliance with the national ambient air quality standards in the areas for pollutant or pollutants applied for; or
  - (ii) The Atmospheric Impact Report does not show a material increased health risk where there is no ambient air quality standard.

I have considered the reasons that informed your application as stated in paragraph 6 of your application which include, amongst others:

- (i) The coal quality;
- (ii) The plant performance;
- (iii) The remaining power station life;
- (iv) The water availability
- (v) Waste, sorbent and energy impacts;
- (vi) The potential impact of the supply of electricity;
- (vii) Cost implications of Compliance with the MES; and
- (viii) The state of air in the Waterberg region.

Paragraph 13 of the 2018 Notice, empowers the NAQO with the concurrence from the Atmospheric Emissions Licensing Authority (AELA) to grant the application contemplated in paragraph (11A), with or without conditions, or to refuse the application with written reasons.

Under paragraph 13 of the 2018 Notice, with concurrence of the Waterberg District Municipality, as the AELA, and taking into account the provisions of paragraphs (11A) and (12A), I have considered your application and came to the decision as captured in Table A. The reasons for my decision are also captured in the last column of Table A.



APPLICATION FOR ALTERNATIVE LIMITS AND POSTPONEMENT OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT, 2004 (ACT NO. 39 OF 2004) MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (MEDUPI POWER STATION)

Table A: Decisions

S21 Category	Appliance	Postponement Sought	Emission Standards			
			Minimum Emission Standards (mg/Nm <sup>3</sup> )			Decision
			Pollutant	2015	2020	
Subcategory 1.1: Solid Fuel Combustion Installations	6 Units	4000mg/Nm <sup>3</sup> (monthly) from 1 April 2020 until 31 March 2030	SO <sub>2</sub>	3500	1000	Alternative limit is declined as the facility does not comply or meet the requirement of GN 1207 of 2018, (12A)(b).
		1000mg/Nm <sup>3</sup> (monthly) from 1 April 2030 until decommissioning				Postponement of compliance timeframe with the minimum emission standards for new plant beyond 2025 is declined as the facility does not comply or meet the requirement of GN 1207 of 2018, (11A).  The requirement to comply with the minimum emission standards for new plant as stated in the 2015 postponement decision with a limit of <b>3500mg/Nm<sup>3</sup></b> from 1 April 2020 to 31 March 2025 thus remains in place.

\* All minimum emission standards are expressed on a monthly average basis, under normal conditions of 273 Kelvin, 10% oxygen and 101.3 kPa

The decision is further subject to the following conditions:

- This decision will have to be reflected in your Atmospheric Emission Licence (AEL) to be of force and effect. Therefore, you must liaise with the relevant AELA in this regard as soon as possible so that the required amendments, variations and additions to your AEL can be effected.
- You are required to submit a quarterly progress report on the implementation of your compliance road map and commitments that you made in support of the postponement application for Eskom Medupi Power Station.
- You are also required to provide a progress report on implementation of offset projects where applicable, as well as other reporting requirements included in the AEL. The reports must be

**APPLICATION FOR ALTERNATIVE LIMITS AND POSTPONEMENT OF COMPLIANCE TIME-FRAMES  
RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT, 2004 (ACT NO. 39  
OF 2004) MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (MEDUPI POWER  
STATION)**

submitted to the NAQO and the AELA following the Department of Forestry, Fisheries and the Environment's financial year.

- (d) Eskom Medupi Power Station is required to implement an offset programme to reduce SO<sub>2</sub> pollution in the ambient/receiving environment as the facility is located in the Waterberg-Bojanala Priority Area. A definite offset implementation plan is expected from Eskom Holdings SOC Ltd (Medupi Power Station) within 90 days from the date of issue of this decision.

Thank you for the co-operation in matters regarding your application.

Yours sincerely



**Dr Thuli N Khumalo**

**Department of Forestry, Fisheries and the Environment**

**Designation: National Air Quality Officer**

**Date:** 30 October 2021





# forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
REPUBLIC OF SOUTH AFRICA

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Reference: MP/ES-AR/NDM/20190326

Enquiries: Derrick Makhubele

Tel: 012 399 9800 Email: [dmakhubele@environment.gov.za](mailto:dmakhubele@environment.gov.za)

Ms. Deidre Herbst

Eskom Holdings SOC Ltd

Arnot Power Station

Megawatt Park

Maxwell Drive, Sunninghill

Sandton

Email: [HerbstDL@eskom.co.za](mailto:HerbstDL@eskom.co.za)

Dear Ms. Herbst,

**RE: APPLICATION FOR SUSPENSION OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004 MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (ARNOT POWER STATION)**

The above-mentioned application has reference.

Your application has been processed and the National Air Quality Officer has, with the concurrence of the Atmospheric Emission Licensing Authority, made a decision as follows:

S21 Category	Appliance	Suspension Sought	Emission Standards			
			Minimum Emission Standards (mg/Nm³)			Decision
			Pollutant	2015	2020	
Subcategory 1.1: Solid Fuel Combustion Installations	6 Units	2020-2030	SO <sub>2</sub>	3500	1000	Suspension of compliance timeframe with the minimum emission standards for new plant is granted from 1 April 2025 to 31 March 2030 with a limit of <b>2500mg/Nm³</b> during this period. The requirement to comply with the minimum emission standards for new plant as stated in the 2015 postponement decision with a limit of <b>2500mg/Nm³</b> from 1 April 2020 to 31 March 2025 thus remains in place.



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TNK



**RE: APPLICATION FOR SUSPENSION OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004 MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (ARNOT POWER STATION)**

			NO <sub>x</sub>	1100	750	Suspension of compliance timeframe with the minimum emission standards for new plant is granted from 1 April 2020 to 31 March 2030 with a limit of <b>1000mg/Nm<sup>3</sup></b> during this period.
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\* All minimum emission standards are expressed on a daily average basis, under normal conditions of 273 Kelvin, 10% oxygen and 101.3 kPa.

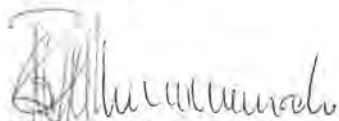
This decision will have to be reflected in your Atmospheric Emission License to be of force and effect. Therefore, you must liaise with the relevant Atmospheric Emission Licensing Authority in this regard as soon as possible so that the required amendments, variations and additions to your Atmospheric Emission License can be effected.

In addition, you are required to submit a quarterly progress report on the implementation of your compliance road map and commitments that you made in support of the suspension application for Eskom Arnot Power Station. You are also required to provide a progress report on implementation of offset projects where applicable, as well as other reporting requirements included in the AEL. The reports must be submitted to the National Air Quality Officer and the Licensing Authority following the department's financial year.

Lastly, Eskom Arnot Power Station's requirement to implement an offset programme to reduce PM pollution in the ambient/receiving environment as your facility is located in the Highveld Priority Area remains in place. Moreover, the Atmospheric Emission License will not be renewed beyond the suspension date as stipulated in the table above. Furthermore the decommissioning plan for Eskom Arnot Power Station must be submitted to the Department a year from the date of issue of this decision.

Thank you for the co-operation in matters regarding your application.

Yours sincerely,



**Dr Thuli N. Khumalo**  
**Department of Forestry, Fisheries and the Environment**  
**Designation: National Air Quality Officer**  
**Date:** 30 October 2021





# forestry, fisheries & the environment

Department:  
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Reference: FS/ES-LE/FDDM/20190326

Enquiries: Derrick Makhubele

Tel: 012 399 9800 Email: [dmakhubele@environment.gov.za](mailto:dmakhubele@environment.gov.za)

Ms Deidre Herbst  
Eskom Holdings SOC Ltd  
Lethabo Power Station  
Megawatt Park  
Maxwell Drive, Sunninghill  
**SANDTON**

Email: [HerbstDL@eskom.co.za](mailto:HerbstDL@eskom.co.za)

Dear Ms Herbst

## **APPLICATION FOR ALTERNATIVE LIMITS AND POSTPONEMENT OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT, 2004 (ACT NO. 39 OF 2004) MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (LETHABO POWER STATION)**

The above-mentioned application dated March 2019 under reference No. ENV18-R241 rev 2 for alternative limits and postponement of compliance timeframes relating to the minimum emission standards for Eskom Holdings SOC LTD (Eskom) (Lethabo Power Station) has reference.

In terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) (NEM: AQA), all of Eskom's coal and liquid fuel-fired power stations are required to meet the Minimum Emission Standards (MES) published under Government Notice No. 893, in Gazette No 37054 on 22 November 2013 (the 2013 Notice), which was promulgated in terms of section 21 of the NEM: AQA.

The 2013 Notice was amended, amongst others, under Government Notice (GN) No. 1207, published in Gazette (GG) No 42013 on 31 October 2018 (the 2018 Notice) to make provision for suspension applications and once off postponement applications for existing plants.

In terms of paragraph (11A) of the 2018 Notice, an existing plant may apply to the National Air Quality Officer (NAQO) for a once-off postponement with the compliance timeframes for minimum emission standards for new plant as contemplated in paragraph (10). A once-off postponement with the compliance timeframes for minimum emission standards for new plant may not exceed a period of 5 years from the date of issue. No once-off postponement with the compliance timeframes with minimum emission standards for new plant will be valid beyond 31 March 2025.



The processing of personal information by the Department of Forestry, Fisheries and the Environment is done lawfully and not excessive to the purpose of processing in compliance with the POPI Act, any codes of conduct issued by the Information Regulator in terms of the POPI Act and / or relevant legislation providing appropriate security safeguards for the processing of personal information of others.

TNK

**APPLICATION FOR ALTERNATIVE LIMITS AND POSTPONEMENT OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT, 2004 (ACT NO. 39 OF 2004) MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (LETHABO POWER STATION)**

Paragraph (12A) of the 2018 Notice provides that:

- (a) An existing plant may submit an application regarding a new plant standard to the NAQO for consideration if the plant is in compliance with other emission standards but cannot comply with a particular pollutant or pollutants;
- (b) An application must demonstrate a previous reduction in emissions of the said pollutant or pollutants, measures and direct investments implemented towards compliance with the relevant new plant standards;
- (c) The NAQO, after consultation with the Atmospheric Emissions Licensing Authority (AELA), may grant an alternative emission limit or emission load if:
  - (i) There is material compliance with the national ambient air quality standards in the areas for pollutant or pollutants applied for; or
  - (ii) The Atmospheric Impact Report does not show a material increased health risk where there is no ambient air quality standard.

I have considered the reasons that informed your application as stated in paragraph 5 of your application which include, amongst others:

- (i) The remaining power station Life;
- (ii) The water availability
- (iii) environmental implications of Flue Gas desulphurization;
- (iv) Lethabo impact on ambient air Quality;
- (v) Cost implications of compliance with the MES; and
- (vi) Project delays.

Paragraph 13 of the 2018 Notice, empowers the NAQO with the concurrence from the Atmospheric Emissions Licensing Authority (AELA) to grant the application contemplated in paragraph (11A), with or without conditions, or to refuse the application with written reasons.

Under paragraph 13 of the 2018 Notice, with concurrence of the Fezile Dabi District Municipality, as the AELA, and taking into account the provisions of paragraphs (11A) and (12A), I have considered your application and came to the decision as captured in Table A. The reasons for my decision are also captured in the last column of Table A.

**Table A: Decisions**

S21 Category	Appliance	Postponement Sought	Emission Standards			
			Minimum Emission Standards (mg/Nm <sup>3</sup> )			Decision
			Pollutant	2015	2020	
<b>Subcategory 1.1: Solid Fuel Combustion Installations</b>	6 Units	100mg/Nm <sup>3</sup> from 1 April 2020  80mg/Nm <sup>3</sup> from 1 April 2025	PM	100	50	Alternative limit request until decommissioning is declined as the facility does not comply or meet the requirement of GN 1207 of 2018, (12A)(a) and (12A)(c)(i).



APPLICATION FOR ALTERNATIVE LIMITS AND POSTPONEMENT OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT, 2004 (ACT NO. 39 OF 2004) MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (LETHABO POWER STATION)

						Postponement from 1 April 2020 to 31 March 2025 declined because the facility did not demonstrate the intention to comply with the new plant standard of 50mg/Nm <sup>3</sup> .
		3500mg/Nm <sup>3</sup> from 1 April 2020 and  2600mg/Nm <sup>3</sup> from 1 April 2025 until decommissioning by 2040	SO <sub>2</sub>	3500	1000	Postponement /alternative limit request until decommissioning declined because the facility does not comply or meet the requirement of GN 1207 of 2018 (11A), (12A)(a) and (12A)(b). The requirement to comply with the minimum emission standards for new plant as stated in the 2015 postponement decision with a limit of <b>2500mg/Nm<sup>3</sup></b> from 1 April 2020 to 31 March 2025 thus remains in place.
		1100mg/Nm <sup>3</sup> (1300) from 1 April 2020  1100mg/Nm <sup>3</sup> from 1 April 2025 until decommissioning by 2040	NO <sub>x</sub>	1100	750	Postponement /alternative limit request until decommissioning declined because the facility does not comply or meet the requirement of GN 1207 of 2018 (11A), (12A)(a) and (12A)(b). The requirement to comply with the minimum emission standards for new plant as stated in the 2015 postponement decision with a limit of <b>1100mg/Nm<sup>3</sup></b> from 1 April 2020 to

**APPLICATION FOR ALTERNATIVE LIMITS AND POSTPONEMENT OF COMPLIANCE TIME-FRAMES  
RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT, 2004 (ACT NO. 39  
OF 2004) MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (LETHABO POWER  
STATION)**

						31 March 2025 thus remains in place.
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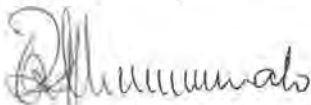
\* All minimum emission standards are expressed on a daily average basis, under normal conditions of 273 Kelvin, 10% oxygen and 101.3 kPa.

The decision is further subject to the following conditions:

- (a) This decision will have to be reflected in your Atmospheric Emission Licence (AEL) to be of force and effect. Therefore, you must liaise with the relevant AELA in this regard as soon as possible so that the required amendments, variations and additions to your AEL can be effected.
- (b) You are required to submit a quarterly progress report on the implementation of your compliance road map and commitments that you made in support of the postponement application for Eskom Lethabo Power Station.
- (c) You are also required to provide a progress report on implementation of offset projects where applicable, as well as other reporting requirements included in the AEL. The reports must be submitted to the NAQO and the AELA following the Department of Forestry, Fisheries and the Environment's financial year.
- (d) Eskom Lethabo Power Station's requirement to implement an offset programme to reduce Particulate Matter (PM) pollution in the ambient/receiving environment as your facility is located in the VTAPA Priority Area remains in place.
- (e) The decision may be reviewed by the NAQO with the concurrence of AELA should ambient air quality conditions in the affected area of the plant not conform to ambient air quality standards.

Thank you for the co-operation in matters regarding your application.

Yours sincerely



**Dr Thuli N Khumalo**  
**Department of Forestry, Fisheries and the Environment**  
**Designation: National Air Quality Officer**  
**Date: 30 October 2021**





# forestry, fisheries & the environment

Department:  
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Reference: MP/ES-CA/GSDM/20190326

Enquiries: Derrick Makhubele

Tel: 012 399 9800 Email: [dmakhubele@environment.gov.za](mailto:dmakhubele@environment.gov.za)

**Ms. Deidre Herbst**

Eskom Holdings SOC Ltd  
Camden Power Station  
Megawatt Park  
Maxwell Drive, Sunninghill  
Sandton

Email: [HerbstDL@eskom.co.za](mailto:HerbstDL@eskom.co.za)

Dear Ms. Herbst,

**RE: APPLICATION FOR SUSPENSION OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004 MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (CAMDEN POWER STATION)**

The above-mentioned application has reference.

Your application has been processed and the National Air Quality Officer has, with the concurrence of the Atmospheric Emission Licensing Authority, made a decision as follows:

S21 Category	Appliance	Suspension Sought	Emission Standards			
			Minimum Emission Standards (mg/Nm <sup>3</sup> )			Decision
			Pollutant	2015	2020	
Subcategory 1.1: Solid Fuel Combustion Installations	6 Units	2020-2030	SO <sub>2</sub>	3500	1000	Suspension of compliance timeframe with the minimum emission standards for new plant is granted. The requirement to comply with the minimum emission standards for new plant as stated in the 2015 postponement decision with a limit of <b>3500mg/Nm<sup>3</sup></b> from 1 April 2020 to 31 March 2025 thus remains in place.
			NO <sub>x</sub>	1100	750	Suspension of compliance timeframe with the minimum emission standards for new plant is granted from 1 April 2020 to 31 March 2025 with a limit of <b>1100mg/Nm<sup>3</sup></b> during this period.



**RE: APPLICATION FOR SUSPENSION OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004 MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (CAMDEN POWER STATION)**

\* All minimum emission standards are expressed on a daily average basis, under normal conditions of 273 Kelvin, 10% oxygen and 101.3 kPa.

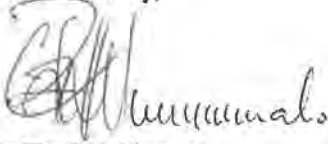
This decision will have to be reflected in your Atmospheric Emission License to be of force and effect. Therefore, you must liaise with the relevant Atmospheric Emission Licensing Authority in this regard as soon as possible so that the required amendments, variations and additions to your Atmospheric Emission License can be effected.

In addition, you are required to submit a quarterly progress report on the implementation of your compliance road map and commitments that you made in support of the suspension application for Eskom Camden Power Station. You are also required to provide a progress report on implementation of offset projects where applicable, as well as other reporting requirements included in the AEL. The reports must be submitted to the National Air Quality Officer and the Licensing Authority following the department's financial year.

Lastly, Eskom Camden Power Station's requirement to implement an offset programme to reduce PM pollution in the ambient/receiving environment as your facility is located in the Highveld Priority Area remains in place. Moreover, the Atmospheric Emission License will not be renewed beyond the suspension date as stipulated in the table above. Furthermore the decommissioning plan for Eskom Camden Power Station must be submitted to the Department a year from the date of issue of this decision.

Thank you for the co-operation in matters regarding your application.

Yours sincerely,



**Dr Thuli N. Khumalo**  
**Department of Forestry, Fisheries and the Environment**  
**Designation: National Air Quality Officer**

**Date:** 30 October 2021





# forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
REPUBLIC OF SOUTH AFRICA

Private Bag X447, Pretoria, 0001, Environment House, 473 Steve Biko Road, Pretoria, 0002 Tel: +27 12 399 9000, Fax: +27 86 625 1042

Reference: WC/ES-AC/COCT/20200901

Enquiries: Derrick Makhubele

Tel: 012 399 9800 Email: [dmakhubele@environment.gov.za](mailto:dmakhubele@environment.gov.za)

**Ms. Deidre Herbst**

Eskom Holdings SOC Ltd  
Acacia Power Station  
Megawatt Park  
Maxwell Drive, Sunninghill  
Sandton

Email: [HerbstDL@eskom.co.za](mailto:HerbstDL@eskom.co.za)

Dear Ms. Herbst,

**RE: APPLICATION FOR SUSPENSION OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004 MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (ACACIA POWER STATION)**

The above-mentioned application has reference.

Your application has been processed and the National Air Quality Officer has, with the concurrence of the Atmospheric Emission Licensing Authority, made a decision as follows:

S21 Category	Appliance	Suspension Sought	Emission Standards			
			Minimum Emission Standards (mg/Nm <sup>3</sup> )			Decision
			Pollutant	2015	2020	
Subcategory 1.2: Liquid Fuel Combustion Installations	6 Units	2020-2030	NO <sub>x</sub>	1100	250	Suspension of compliance timeframe with the minimum emission standards for new plant is granted from 1 April 2025 to 31 March 2030 with a limit of <b>600mg/Nm<sup>3</sup></b> during this period. The requirement to comply with the minimum emission standards for new plant as stated in the 2015 postponement decision with a limit of <b>600mg/Nm<sup>3</sup></b> from 1 April 2020 to 31 March 2025 thus remains in place.

\* All minimum emission standards are expressed on a daily average basis, under normal conditions of 273 Kelvin, 15% oxygen and 101.3 kPa.

**RE: APPLICATION FOR SUSPENSION OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004 MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (ACACIA POWER STATION)**

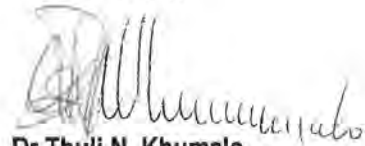
This decision will have to be reflected in your Atmospheric Emission License to be of force and effect. Therefore, you must liaise with the relevant Atmospheric Emission Licensing Authority in this regard as soon as possible so that the required amendments, variations and additions to your Atmospheric Emission License can be effected.

In addition, you are required to submit a quarterly progress report on the implementation of your compliance road map and commitments that you made in support of the suspension application for Eskom Acacia Power Station. The reports must be submitted to the National Air Quality Officer and the Licensing Authority following the department's financial year.

Lastly, the Atmospheric Emission License will not be renewed beyond the suspension date as stipulated in the table above. Furthermore the decommissioning plan for Eskom Acacia Power Station must be submitted to the Department a year from the date of issue of this decision.

Thank you for the co-operation in matters regarding your application.

Yours sincerely,



**Dr Thuli N. Khumalo**  
**Department of Forestry, Fisheries and the Environment**  
**Designation: National Air Quality Officer**

**Date:** 30 October 2021







# forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
REPUBLIC OF SOUTH AFRICA

Private Bag X447, Pretoria, 0001, Environment House, 473 Steve Biko Road, Pretoria, 0002 Tel: +27 12 399 9000, Fax: +27 86 625 1042

Reference: EC/ES-PR/BCM/20200901

Enquiries: Derrick Makhubele

Tel: 012 399 9800 Email: [dmakhubele@environment.gov.za](mailto:dmakhubele@environment.gov.za)

Ms. Deidre Herbst

Eskom Holdings SOC Ltd  
Port Rex Power Station  
Megawatt Park  
Maxwell Drive, Sunninghill  
Sandton

Email: [HerbstDL@eskom.co.za](mailto:HerbstDL@eskom.co.za)

Dear Ms. Herbst,

**RE: APPLICATION FOR SUSPENSION OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004 MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (PORT REX POWER STATION)**

The above-mentioned application has reference.

Your application has been processed and the National Air Quality Officer has, with the concurrence of the Atmospheric Emission Licensing Authority, made a decision as follows:

S21 Category	Appliance	Suspension Sought	Emission Standards			
			Minimum Emission Standards (mg/Nm <sup>3</sup> )			Decision
			Pollutant	2015	2020	
Subcategory 1.2: Liquid Fuel Combustion Installations	6 Units	2020-2030	PM	75	50	Suspension of compliance timeframe with the minimum emission standards for new plant is granted from 1 April 2020 to 31 March 2030 with a limit of <b>75mg/Nm<sup>3</sup></b> during this period.
			NO <sub>x</sub>	1100	250	Suspension of compliance timeframe with the minimum emission standards for new plant is granted from 1 April 2025 to 31 March 2030 with a limit of <b>600mg/Nm<sup>3</sup></b> during this period. The requirement to comply with the minimum emission standards for new plant as stated in the 2015 postponement decision with a limit of

**RE: APPLICATION FOR SUSPENSION OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004 MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (PORT REX POWER STATION)**

						600mg/Nm <sup>3</sup> from 1 April 2020 to 31 March 2025 thus remains in place.
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\* All minimum emission standards are expressed on a daily average basis, under normal conditions of 273 Kelvin, 15% oxygen and 101.3 kPa.

This decision will have to be reflected in your Atmospheric Emission License to be of force and effect. Therefore, you must liaise with the relevant Atmospheric Emission Licensing Authority in this regard as soon as possible so that the required amendments, variations and additions to your Atmospheric Emission License can be effected.

In addition, you are required to submit a quarterly progress report on the implementation of your compliance road map and commitments that you made in support of the suspension application for Eskom Port Rex Power Station. The reports must be submitted to the National Air Quality Officer and the Licensing Authority following the department's financial year.

Lastly, the Atmospheric Emission License will not be renewed beyond the suspension date as stipulated in the table above. Furthermore the decommissioning plan for Eskom Port Rex Power Station must be submitted to the Department a year from the date of issue of this decision.

Thank you for the co-operation in matters regarding your application.

Yours sincerely,



**Dr Thuli N. Khumalo**  
**Department of Forestry, Fisheries and the Environment**  
**Designation: National Air Quality Officer**

Date: 30 October 2021







# forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
**REPUBLIC OF SOUTH AFRICA**

Private Bag X447, Pretoria, 0001, Environment House, 473 Steve Biko Road, Pretoria, 0002 Tel: +27 12 399 9000, Fax: +27 86 625 1042

Reference: MP/ES-KR/NDM/20190326

Enquiries: Derrick Makhubele

Tel: 012 399 9800 Email: [dmakhubele@environment.gov.za](mailto:dmakhubele@environment.gov.za)

**Ms. Deidre Herbst**

Eskom Holdings SOC Ltd

Kriel Power Station

Megawatt Park

Maxwell Drive, Sunninghill

Sandton

Email: [HerbstDL@eskom.co.za](mailto:HerbstDL@eskom.co.za)

Dear Ms. Herbst,

**RE: APPLICATION FOR SUSPENSION OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004 MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (KRIEL POWER STATION)**

The above-mentioned application has reference.

Your application has been processed and the National Air Quality Officer has, with the concurrence of the Atmospheric Emission Licensing Authority, made a decision as follows:

S21 Category	Appliance	Suspension Sought	Emission Standards			
			Minimum Emission Standards (mg/Nm <sup>3</sup> )			Decision
			Pollutant	2015	2020	
<b>Subcategory 1.1:</b> Solid Fuel Combustion Installations	6 Units	2020-2030	PM	100	50	Suspension of compliance timeframe with the minimum emission standards for new plant is granted from 1 April 2020 to 31 March 2030 with a limit of <b>100mg/Nm<sup>3</sup></b> for the North and South stack during this period.
			SO <sub>2</sub>	3500	1000	Suspension of compliance timeframe with the minimum emission standards for new plant is granted from 1 April 2025 to 31 March 2030 with a limit of <b>2800mg/Nm<sup>3</sup></b> during this period. The requirement to comply with the minimum emission standards for new plant as stated in the

**RE: APPLICATION FOR SUSPENSION OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004 MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (KRIEL POWER STATION)**

						2015 postponement decision with a limit of <b>2800mg/Nm<sup>3</sup></b> from 1 April 2020 to 31 March 2025 thus remains in place.
			NO <sub>x</sub>	1100	750	Suspension of compliance timeframe with the minimum emission standards for new plant is granted from 1 April 2020 to 31 March 2030 with a limit of <b>1100mg/Nm<sup>3</sup></b> during this period.

\* All minimum emission standards are expressed on a daily average basis, under normal conditions of 273 Kelvin, 10% oxygen and 101.3 kPa.

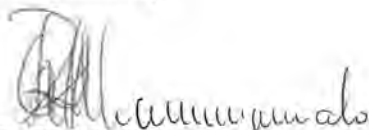
This decision will have to be reflected in your Atmospheric Emission License to be of force and effect. Therefore, you must liaise with the relevant Atmospheric Emission Licensing Authority in this regard as soon as possible so that the required amendments, variations and additions to your Atmospheric Emission License can be effected.

In addition, you are required to submit a quarterly progress report on the implementation of your compliance road map and commitments that you made in support of the suspension application for Eskom Kriel Power Station. You are also required to provide a progress report on implementation of offset projects where applicable, as well as other reporting requirements included in the AEL. The reports must be submitted to the National Air Quality Officer and the Licensing Authority following the department's financial year.

Lastly, Eskom Kriel Power Station's requirement to implement an offset programme to reduce PM pollution in the ambient/receiving environment as your facility is located in the Highveld Priority Area remains in place. Moreover, the Atmospheric Emission License will not be renewed beyond the suspension date as stipulated in the table above. Furthermore the decommissioning plan for Eskom Kriel Power Station must be submitted to the Department a year from the date of issue of this decision.

Thank you for the co-operation in matters regarding your application.

Yours sincerely,



**Dr Thuli N. Khumalo**  
**Department of Forestry, Fisheries and the Environment**  
**Designation: National Air Quality Officer**  
**Date:** 30 October 2021





# forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
REPUBLIC OF SOUTH AFRICA

Private Bag X447, Pretoria, 0001, Environment House, 473 Steve Biko Road, Pretoria, 0002 Tel: +27 12 399 9000, Fax: +27 86 625 1042

Reference: MP/ES-KO/NDM/20190326

Enquiries: Derrick Makhubele

Tel: 012 399 9800 Email: [dmakhubele@environment.gov.za](mailto:dmakhubele@environment.gov.za)

**Ms. Deidre Herbst**

Eskom Holdings SOC Ltd  
Komati Power Station  
Megawatt Park  
Maxwell Drive, Sunninghill  
Sandton

Email: [HerbstDL@eskom.co.za](mailto:HerbstDL@eskom.co.za)

Dear Ms. Herbst,

**RE: APPLICATION FOR SUSPENSION OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004 MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (KOMATI POWER STATION)**

The above-mentioned application has reference.

Your application has been processed and the National Air Quality Officer has, with the concurrence of the Atmospheric Emission Licensing Authority, made a decision as follows:

S21 Category	Appliance	Suspension Sought	Emission Standards			
			Minimum Emission Standards (mg/Nm <sup>3</sup> )			Decision
			Pollutant	2015	2020	
<b>Subcategory 1.1:</b> Solid Fuel Combustion Installations	6 Units	2020-2030	PM	100	50	Suspension of compliance timeframe with the minimum emission standards for new plant is granted from 1 April 2020 to 31 December 2029 with a limit of <b>100mg/Nm<sup>3</sup></b> during this period.
			SO <sub>2</sub>	3500	1000	Suspension of compliance timeframe with the minimum emission standards for new plant is granted from 1 April 2025 to 31 December 2029 with a limit of <b>2600mg/Nm<sup>3</sup></b> during this period. The requirement to comply with the minimum emission standards for new plant as stated in the 2015 postponement decision with a limit of



**RE: APPLICATION FOR SUSPENSION OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004 MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (KOMATI POWER STATION)**

						2600mg/Nm <sup>3</sup> from 1 April 2020 to 31 March 2025 thus remains in place.
			NO <sub>x</sub>	1100	750	Suspension of compliance timeframe with the minimum emission standards for new plant is granted from 1 April 2020 to 31 December 2029 with a limit of 1100mg/Nm <sup>3</sup> during this period.

\* All minimum emission standards are expressed on a daily average basis, under normal conditions of 273 Kelvin, 10% oxygen and 101.3 kPa.


This decision will have to be reflected in your Atmospheric Emission License to be of force and effect. Therefore, you must liaise with the relevant Atmospheric Emission Licensing Authority in this regard as soon as possible so that the required amendments, variations and additions to your Atmospheric Emission License can be effected.

In addition, you are required to submit a quarterly progress report on the implementation of your compliance road map and commitments that you made in support of the suspension application for Eskom Komati Power Station. You are also required to provide a progress report on implementation of offset projects where applicable, as well as other reporting requirements included in the AEL. The reports must be submitted to the National Air Quality Officer and the Licensing Authority following the department's financial year.

Lastly, Eskom Komati Power Station's requirement to implement an offset programme to reduce PM pollution in the ambient/receiving environment as your facility is located in the Highveld Priority Area remains in place. Moreover, the Atmospheric Emission License will not be renewed beyond the suspension date as stipulated in the table above. Furthermore the decommissioning plan for Eskom Komati Power Station must be submitted to the Department a year from the date of issue of this decision.

Thank you for the co-operation in matters regarding your application.

Yours sincerely,



**Dr Thuli N. Khumalo**  
**Department of Forestry, Fisheries and the Environment**  
**Designation: National Air Quality Officer**  
**Date: 30 October 2021**







# forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
**REPUBLIC OF SOUTH AFRICA**

Private Bag X447, Pretoria, 0001, Environment House, 473 Steve Biko Road, Pretoria, 0002 Tel: +27 12 399 9000, Fax: + 27 86 625 1042

Reference: MP/ES-HE/NDM/20190326

Enquiries: Derrick Makhubele

Tel: 012 399 9800 Email: [dmakhubele@environment.gov.za](mailto:dmakhubele@environment.gov.za)

**Ms. Deidre Herbst**

Eskom Holdings SOC Ltd  
Hendrina Power Station  
Megawatt Park  
Maxwell Drive, Sunninghill  
Sandton

Email: [HerbstDL@eskom.co.za](mailto:HerbstDL@eskom.co.za)

Dear Ms. Herbst,

**RE: APPLICATION FOR SUSPENSION OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004 MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (HENDRINA POWER STATION)**

The above-mentioned application has reference.

Your application has been processed and the National Air Quality Officer has, with the concurrence of the Atmospheric Emission Licensing Authority, made a decision as follows:

S21 Category	Appliance	Suspension Sought	Emission Standards			
			Minimum Emission Standards (mg/Nm <sup>3</sup> )			Decision
			Pollutant	2015	2020	
Subcategory 1.1: Solid Fuel Combustion Installations	6 Units	2020-2030	SO <sub>2</sub>	3500	1000	Suspension of compliance timeframe with the minimum emission standards for new plant is granted from 1 April 2025 to 31 December 2026 with a limit of <b>3200mg/Nm<sup>3</sup></b> during this period. The requirement to comply with the minimum emission standards for new plant as stated in the 2015 postponement decision with a limit of <b>3200mg/Nm<sup>3</sup></b> from 1 April 2020 to 31 March 2025 thus remains in place.

**RE: APPLICATION FOR SUSPENSION OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004 MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (HENDRINA POWER STATION)**

			NO <sub>x</sub>	1100	750	Suspension of compliance timeframe with the minimum emission standards for new plant is granted from 1 April 2020 to 31 December 2026 with a limit of <b>1100mg/Nm<sup>3</sup></b> during this period.
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\* All minimum emission standards are expressed on a daily average basis, under normal conditions of 273 Kelvin, 10% oxygen and 101.3 kPa.

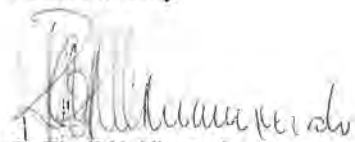
This decision will have to be reflected in your Atmospheric Emission License to be of force and effect. Therefore, you must liaise with the relevant Atmospheric Emission Licensing Authority in this regard as soon as possible so that the required amendments, variations and additions to your Atmospheric Emission License can be effected.

In addition, you are required to submit a quarterly progress report on the implementation of your compliance road map and commitments that you made in support of the suspension application for Eskom Hendrina Power Station. You are also required to provide a progress report on implementation of offset projects where applicable, as well as other reporting requirements included in the AEL. The reports must be submitted to the National Air Quality Officer and the Licensing Authority following the department's financial year.

Lastly, Eskom Hendrina Power Station's requirement to implement an offset programme to reduce PM pollution in the ambient/receiving environment as your facility is located in the Highveld Priority Area remains in place. Moreover, the Atmospheric Emission License will not be renewed beyond the suspension date as stipulated in the table above. Furthermore the decommissioning plan for Eskom Hendrina Power Station must be submitted to the Department a year from the date of issue of this decision.

Thank you for the co-operation in matters regarding your application.

Yours sincerely,



**Dr Thuli N. Khumalo**  
**Department of Forestry, Fisheries and the Environment**  
**Designation: National Air Quality Officer**

**Date:** 30 October 2021





# forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
REPUBLIC OF SOUTH AFRICA

Private Bag X447, Pretoria, 0001, Environment House, 473 Steve Biko Road, Pretoria, 0002 Tel: +27 12 399 9000, Fax: +27 86 625 1042

Reference: MP/ES-GR/GSDM/20200901

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**Ms. Deidre Herbst**

Eskom Holdings SOC Ltd  
Grootvlei Power Station  
Megawatt Park  
Maxwell Drive, Sunninghill  
Sandton

Email: [HerbstDL@eskom.co.za](mailto:HerbstDL@eskom.co.za)

Dear Ms. Herbst,

**RE: APPLICATION FOR SUSPENSION OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004 MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (GROOTVLEI POWER STATION)**

The above-mentioned application has reference.

Your application has been processed and the National Air Quality Officer has, with the concurrence of the Atmospheric Emission Licensing Authority, made a decision as follows:

S21 Category	Appliance	Suspension Sought	Emission Standards			
			Minimum Emission Standards (mg/Nm <sup>3</sup> )			Decision
			Pollutant	2015	2020	
Subcategory 1.1: Solid Fuel Combustion Installations	6 Units	2020-2030	SO <sub>2</sub>	3500	1000	Suspension of compliance timeframe with the minimum emission standards for new plant is granted from 1 April 2025 to 31 March 2030 with a limit of <b>3500mg/Nm<sup>3</sup></b> during this period. The requirement to comply with the minimum emission standards for new plant as stated in the 2015 postponement decision with a limit of <b>3500mg/Nm<sup>3</sup></b> from 1 April 2020 to 31 March 2025 thus remains in place.



**RE: APPLICATION FOR SUSPENSION OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004 MINIMUM EMISSION STANDARDS FOR ESKOM HOLDINGS SOC LTD (GROOTVLEI POWER STATION)**

			NO <sub>x</sub>	1100	750	Suspension of compliance timeframe with the minimum emission standards for new plant is granted from 1 April 2025 to 31 March 2030 with a limit of <b>1100mg/Nm<sup>3</sup></b> during this period. The requirement to comply with the minimum emission standards for new plant as stated in the 2015 postponement decision with a limit of <b>1100mg/Nm<sup>3</sup></b> from 1 April 2020 to 31 March 2025 thus remains in place.
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\* All minimum emission standards are expressed on a daily average basis, under normal conditions of 273 Kelvin, 10% oxygen and 101.3 kPa.

This decision will have to be reflected in your Atmospheric Emission License to be of force and effect. Therefore, you must liaise with the relevant Atmospheric Emission Licensing Authority in this regard as soon as possible so that the required amendments, variations and additions to your Atmospheric Emission License can be effected.

In addition, you are required to submit a quarterly progress report on the implementation of your compliance road map and commitments that you made in support of the suspension application for Eskom Grootvlei Power Station. You are also required to provide a progress report on implementation of offset projects where applicable, as well as other reporting requirements included in the AEL. The reports must be submitted to the National Air Quality Officer and the Licensing Authority following the department's financial year.

Lastly, Eskom Grootvlei Power Station's requirement to implement an offset programme to reduce PM pollution in the ambient/receiving environment as your facility is located in the Highveld Priority Area remains in place. Moreover, the Atmospheric Emission License will not be renewed beyond the suspension date as stipulated in the table above. Furthermore the decommissioning plan for Eskom Grootvlei Power Station must be submitted to the Department a year from the date of issue of this decision.

Thank you for the co-operation in matters regarding your application.

Yours sincerely,



**Dr Thuli N. Khumalo**  
**Department of Forestry, Fisheries and the Environment**  
**Designation: National Air Quality Officer**  
**Date: 30 October 2021**